

Before the FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

<i>In the Matter of</i>	)	
	)	
	)	
<i>Review of Part 15 and other Parts</i>	)	<b>OET Docket No. 01-278</b>
<i>of the Commission's Rules</i>	)	<b>RM-9375, RM-10051</b>
	)	

To: The Commission

***Comments of MELVYN LOUIS BERNSTEIN in response to the  
above-captioned Notice of Proposed Rule Making***

1. I have been an amateur radio operator for nearly forty of my fifty-three years.
2. I share the concerns of the amateur radio community at-large and of the American Radio Relay League ("ARRL") and I join with them in opposing the SAVI Technology, Inc. petition and the proposed addition of Section 15.240 to Part 15 for the reasons that follow.
3. There is no technical justification for the choice of 433.9 MHz.
4. Transmissions at 433.9 MHz, at a field strength of 110,000  $\mu\text{V/m}$  and for the durations proposed, originating from numerous mobile devices at unpredictable locations and at unpredictable times, threaten the legitimate, licensed weak-signal transmissions in the 425 to 435 band used extensively by Amateur stations for control links for repeaters and for other communications and functions.
5. The mobile and therefore variable location coupled with the unpredictable occurrence of numerous unlicensed transmissions of the type proposed would make difficult or impossible the tracking and identification of and therefore would prevent substantial and meaningful enforcement of prohibited interference to authorized, legitimate, licensed Amateur transmissions.
6. Authorities in Europe and Australia have prohibited the high field intensity, long duty cycle unlicensed devices, such as those proposed, from operating at 433.92 MHz due to the substantial and intense interference they caused to legitimate, licensed activities.
7. As a result of and in consequence of the above, (1) the petition at issue should be denied, (2) the proposed addition of Section 15.240 to Part 15 should not be adopted and (3) such devices should not be allowed to operate between 420 MHz and 450 MHz.

Respectfully submitted,

Melvyn Louis Bernstein

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